**UNITED NATIONS** **S**

**Security Council**

Distr.
GENERAL

S/1994/1074
19 September 1994

ORIGINAL: ENGLISH

LETTER DATED 19 SEPTEMBER 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey to you the attached report addressed to me on 19 September 1994 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, dealing with the establishment of an International Conference on the Former Yugoslavia Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro).

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

Annex

Report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the establishment and commencement of operations of an International Conference on the Former Yugoslavia Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro)

## I. INTRODUCTION

1. The conflict in Bosnia and Herzegovina is in its third year. Successive blueprints for peace have been drawn up with the parties and then subsequently repudiated by one side or the other: the Carrington-Cutiliero plan; the Vance-Owen plan; "the invincible package"; the European Union action plan. In January-February 1994, the parties agreed, in talks held under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, on a constitutional framework and modalities for the implementation and monitoring of a cessation of hostilities and on the greater part of a map for the allocation of the territory. However, disagreement persisted on, at most, 2 per cent of the territory. Various methods were suggested by the Co-Chairmen, to no avail, to overcome the impasse on this small percentage of the territory. They included arbitration under the auspices of the Security Council.

## II. CONTACT GROUP PROPOSAL

2. In the light of this experience with successive peace plans, consultations took place involving the Co-Chairmen of the Steering Committee and Governments with influence on the parties. This led to the signing of the Washington accords for the establishment of the Bosniac-Croat Federation (see S/1994/255, annex I) and the establishment of a contact group consisting of five countries, namely France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, working with the International Conference. The Contact Group was guided in its work by the resolutions of the Security Council, by declarations adopted by Foreign Ministers of the Contact Group countries meeting in Geneva on 13 May and on 5 and 30 July, by the provisions of the European Union action plan and by the previous efforts of the International Conference.

3. The Contact Group drew up a map for the allocation of territory between the Bosniac-Croat Federation and the Bosnian Serb entity and submitted it to the two sides on 6 July. The map allocated 51 per cent to the Bosniac-Croat Federation and 49 per cent to the Bosnian Serb entity. The Contact Group, reinforced by the support of the Security Council and the Council of Ministers of the European Union, as well as by Governments and organizations world wide, informed the parties that the proposed map would have to be accepted as presented, unless the parties could agree between themselves on changes. At the end of July, the Bosniac-Croat Federation accepted the proposed map. The Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) also accepted the

map. Leaders of the Federal Republic of Yugoslavia (Serbia and Montenegro) urged the Bosnian Serb leadership to accept the Contact Group map. To date the Bosnian Serb leadership has not done so.

4. The Contact Group countries had made it quite clear from the outset that there would be incentives for acceptance of its proposal and disincentives for rejection.

## III. CLOSURE BY THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) OF ITS BORDER WITH THE BOSNIAN SERBS

5. On 4 August 1994, the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to come into effect the same day:

(a) "To break off political and economic relations with the Republica Srpska

(b) "To prohibit the stay of the members of the leadership of the Republica Srpska (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia

(c) "As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the Republica Srpska, except food, clothing and medicine."

## IV. FOLLOW-UP BY THE CO-CHAIRMEN

6. At the request of the Secretary-General, the United Nations Co-Chairman of the Steering Committee, Mr. Stoltenberg, visited Belgrade and Pale from 12 to 14 August. He discussed with President Milosevic the implementation of the measures announced for the closure of the border and their verification. Lord Owen and Mr. Stoltenberg followed up by visiting Belgrade, Podgorica and Zagreb from 4 to 6 September.

7. The Co-Chairmen discussed the border closure at length with President Milosevic and Foreign Minister Jovanovic in Belgrade on 4 September, and with President Bulatovic in Podgorica on 5 September. On 5 September, the day after the Co-Chairmen's conversation in Belgrade, Mr. Jovanovic sent the Co-Chairmen a letter recalling a proposal that had been made by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to the effect that representatives of international humanitarian organizations, in conjunction with representatives of the local Red Cross, could "establish joint controls" at places where humanitarian assistance "is organized and dispatched from". The Foreign Minister requested the Co-Chairmen to propose "relevant humanitarian organizations", to work in conjunction with the local Red Cross, to establish joint controls of the type mentioned.

8. At the Co-Chairmen's request, a member of their staff, Mr. Pellnas, had detailed technical discussions in Belgrade on 4 September with Mr. Kertes, the head of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro) and on 5 September in Podgorica with Mr. Bosko Bojeric, the Deputy Interior Minister of Montenegro. In the light of the report they received, the Co-Chairmen decided to explore the possibility of sending to the Federal Republic of Yugoslavia (Serbia and Montenegro) an International Conference on the Former Yugoslavia Mission composed of personnel provided through national humanitarian organizations who would control the effective delivery of humanitarian assistance at designated crossing-points and who would have freedom of access elsewhere in the Federal Republic of Yugoslavia (Serbia and Montenegro). It would report to the Co-Chairmen and, through them, to the Secretary-General and the Presidency of the European Union, on the implementation of the border closure.

9. From the preparatory work done by Mr. Pellnas, it was concluded that an International Conference on the Former Yugoslavia Mission could aim initially for 135 international members. The Federal Republic of Yugoslavia (Serbia and Montenegro) offered to provide free of charge 65 drivers and also offered 7 cars to start with. The Federal Republic of Yugoslavia (Serbia and Montenegro) also said it would arrange for 65 interpreters to be paid by the Mission. The Mission Coordinator would be Mr. Bo Pellnas (Sweden), acting in a civilian capacity. Its financing would come from voluntary contributions and countries would be expected to pay for the persons they sent.

10. The Co-Chairmen kept the Contact Group, which was then meeting in Berlin, fully briefed on these developments. The Contact Group welcomed and supported their efforts.

11. The Co-Chairmen immediately sounded out the Nordic countries and obtained commitments that they would supply 60 persons to be in Belgrade within one week. They also obtained definite promises of $200,000 start-up money from two of the Nordic countries.

12. In view of these developments, the Co-Chairmen, on 8 September, informed the Foreign Minister of the Federal Republic of Yugoslavia (Serbia and Montenegro) that they were ready to set up an International Conference on the Former Yugoslavia Mission along the lines discussed with him and President Milosevic, and President Bulatovic on 4 and 5 September. The Co-Chairmen noted that Mr. Pellnas had worked out a number of details about the proposed Mission in meetings with the head of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro) and with the Deputy Interior Minister of Montenegro. The Co-Chairmen added that Mr. Pellnas would consult with other relevant humanitarian organizations and other countries. They further informed the Foreign Minister that the Nordic countries were ready to put some people in quickly. The Co-Chairmen said that they hoped to be able to provide more details early in the following week, by which time Mr. Pellnas would hopefully be in a position to go to Belgrade and to discuss the matter in more detail.

13. At the request of the Co-Chairmen, Mr. Pellnas arrived in Belgrade on Wednesday, 14 September accompanied by seven persons from France, Germany, Norway, the Russian Federation, Sweden and the United States. Mr. Pellnas

immediately met with representatives of the Yugoslav authorities. Meetings continued the following day. The Yugoslav authorities agreed that all traffic would be stopped between 1900 hours and 0600 hours on all crossings except the two used for humanitarian traffic. All ferry traffic would also be stopped. Moreover, the number of international staff assigned to the Mission could be raised to 200.

14. Mr. Pellnas was assured by the Yugoslav authorities of full access to all parts of the Federal Republic of Yugoslavia (Serbia and Montenegro). They gave Mr. Pellnas a formal commitment to provide the Mission with sufficient helicopter resources. They accepted the establishment of a radio communication net as requested by Mr. Pellnas. They also agreed to his request that the drivers provided by the Federal Republic of Yugoslavia (Serbia and Montenegro) should be police officers.

## V. TERMS OF REFERENCE OF THE MISSION

15. On Friday, 16 September, Mr. Pellnas saw the Foreign Minister of the Federal Republic of Yugoslavia (Serbia and Montenegro) and submitted to him, on behalf of the Co-Chairmen, the following arrangements for the establishment of the International Conference on the Former Yugoslavia Mission:

> "1. The Coordinator of the Mission is to be a member of the International Conference on the Former Yugoslavia staff, Mr. Bo Pellnas, answerable to us as Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia. The Mission will consist of such international civilian staff made available to the International Conference on the Former Yugoslavia whom we select after discussion with your Government, and those of Serbia and Montenegro.
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> "2. The Mission will be organized out of Belgrade, initially from the Norwegian Embassy, and will have three sections in the field: one in Montenegro and two in Serbia. Each section will initially be organized into teams of four persons: two international staff, one local interpreter to be paid by the Mission and one local driver to be supplied and paid by your Government. It may be necessary to move teams quickly from one section to another as the Mission requires and for this purpose the helicopters which your Government has agreed to provide will be helpful.
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> "3. International staff of the Mission, who will carry International Conference on the Former Yugoslavia certificates, will have the status of members of a diplomatic mission. Property and premises, including temporary ones, established by the Mission for its members shall not be seized or interfered with.
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> "4. Teams and members of the Mission will be granted full freedom of movement. Their movements and their right to remain in any place shall not be subject to any requirement of prior notice or authorization.
>
> "5. Taking into account that the responsibility of controlling the crossings remains with your Government, members of the Mission will be

enabled to work with representatives of the Yugoslav Red Cross at places from which any humanitarian assistance is organized or dispatched; to work alongside customs officers; to look into any vehicles crossing; and to have examined any item conveyed by individuals or vehicles across the border which they suspect might not be classified as purely humanitarian. For this purpose the members of the Mission are to have the possibility of examining customs, commercial, transport and related documentation, access to facilities where goods are loaded or, if inspection during loading is not feasible, the right to require unloading of vehicles, and the assistance in specific cases of your authorities in carrying out examinations.

"6. The Government is to ensure the security and safety of members of the Mission, without thereby interfering with their movement and work.

"7. The Mission will be authorized to maintain communications between their teams, their sections, their Belgrade offices and Geneva by communication satellites as well as by radio transmitters.

"If the above-mentioned conditions forming the basis for our proposals in this letter no longer exist, we reserve our right as Co-Chairmen to withdraw the Mission at any time we determine."

16. On Saturday, 17 September, Foreign Minister Jovanovic formally transmitted to the Co-Chairmen, through Mr. Pellnas, his Government's "full acceptance" of the above-mentioned arrangements proposed by the Co-Chairmen. The International Conference on the Former Yugoslavia Mission in the Federal Republic of Yugoslavia (Serbia and Montenegro) was thus formally established as of 17 September 1994.

## VI. MISSION CONCEPT

17. The Mission is being organized with personnel provided through national humanitarian organizations. It will have three sections working in the field, which will be given resources corresponding to the number of crossings within their area of responsibility, it being understood that it would be possible to carry out a quick change of resources between the sections, in order to achieve a concentrated presence in areas where needed.

18. The sections will be organized into groups of four teams, each team consisting of two international members, an interpreter, a driver and a car. The interpreter and the driver will be provided by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

19. The Mission will exercise its right to go wherever it wishes, without any form of prior notification, to follow the work of customs officers of the Federal Republic of Yugoslavia (Serbia and Montenegro) and to actually look into vehicles crossing the border.

## VII. COMMENCEMENT OF OPERATIONS

20. Following the initial party of 8 that assembled in Belgrade on 14 September, a second contingent of 19 persons arrived in Belgrade on Friday, 16 September, from Norway and the United Kingdom. A third contingent of 10, from France, Denmark, Spain and the United Kingdom, will arrive on Monday, 19 September. A further contingent of 15 persons from Finland will arrive on Tuesday, 20 September. As of Tuesday, 20 September, 52 international members of the Mission will thus have arrived in Belgrade. The Mission has already assembled some local drivers, local interpreters and vehicles provided by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro). In addition the Government is making helicopters available for use of the Mission.

21. Mr. Pellnas has had extensive discussions in Belgrade with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) as well as with Serbian and Montenegrin authorities. A number of meetings have been held with the head of Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro).

22. On 17 September, Mr. Pellnas flew to Podgorica for a meeting with the Montenegrin authorities. As agreed in the talks with Mr. Kertes, a helicopter was provided by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro). Mr. Pellnas had a meeting in Podgorica with the Deputy Interior Minister. Mr. Pellnas briefed him on what had been agreed during his talks in Belgrade and asked for his support of the Mission in Montenegro. Mr. Bojevic made a very firm commitment to Mr. Pellnas, promising his Government's full cooperation and support. He also promised to take every possible step to ensure the safety and security of the members of the Mission. He informed Mr. Pellnas about actions that had been taken against two private businessmen who had been caught smuggling fuel into Bosnia and Herzegovina. Both had been sent to prison. The seized vehicles and fuel had been sold and the proceeds given to the Montenegrin Red Cross.

23. On 16 September, the Mission sent out its first reconnaissance team of two members, who visited the border crossings between Zvornik and Kotroman and also made a visit to Pripolje, which is to be the base for one of the three field sections within the Mission. The team had complete freedom of movement and thus arrived unannounced at the crossings. It saw very little traffic south of Zvornik and reported that the crossings appeared to be seriously controlled. They saw all crossing cars being checked. They observed no trucks at any of the crossing-points. The team also reported that the border now had all the signs of a national border, with flags, barriers and, at places, even some defensive military positions.

24. On 17 September, the Mission sent out a team to Pripolje to start preparations in an area judged to have the highest priority. On 18 September, the Mission established a presence in Niksic with one team, while another team started working at the packing centre for humanitarian aid in Belgrade. As soon as the necessary logistical arrangements are in place, the remaining teams will be deployed to reinforce the Pripolje and Niksic centres and also to commence operations from Banja Koviljaca, between Loznica and Zvornik.

25. Out of the 10 members arriving on Monday, 19 September, the core of a headquarters will be organized and the commanders of the three field section centres will be chosen and sent out. The 15 Finnish members due to arrive on Tuesday, 20 September will be put at the disposal of the three section commanders.

26. Further meetings between the federal Customs authorities and the experts supporting the Mission will be held on Monday, 19 September, in order to develop working procedures further.

## VIII. OBSERVATIONS

27. Mr. Pellnas has reported to the Co-Chairmen that the federal Government and the federal authorities have fully cooperated with the Mission and have sought in every way to facilitate its work. The teams sent out by the Mission have had complete freedom of movement.

28. The Mission's first impressions from the border areas visited coincide with reports it has received from visitors from other international organizations and seem to verify that the federal Government is taking every action to seal off the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina effectively.

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